

PUBLIC INPUT SUMMARY

Butte County General Plan 2030 Goals and Policies Development (Meeting Series #5) Planning Commission Study Sessions: November 7 and 14, and December 11, 2008

This document summarizes the oral public input that was provided at the two Planning Commission Study Sessions that were held on November 7 and 14, and December 11, 2008 as part of Meeting Series #5. This supplements the public input that was received during the Public Workshop that was held on September 8, 2008, to begin Meeting Series #5. The public input is compiled separately for each meeting.

Meeting #5-3a – November 7, 2008

The topics covered at this meeting included the following:

- ◆ Urban Growth Boundaries and Community Separators
- ◆ County Character, New Development and Housing
- ◆ Regional and Local Coordination
- ◆ Agriculture
- ◆ Economic Development
- ◆ Community Health and Safety
- ◆ Noise

Members of the public provided input on these topics as reported below.

Urban Growth Boundaries and Community Separators

Bob Kromer discussed his concerns about the Chico Area Greenline. During the July 30 Board of Supervisors meeting, there was a long discussion about the Greenline, but the Board's direction was not clear. Mr. Kromer supports urban growth boundaries, but he believes that there must be some flexibility in order to deal with existing conditions on the ground. Mr. Kromer displayed an aerial image of the Bell Muir area, and explained that he believes the Greenline should logically border the edge of Study Area 3, rather than along Bell and Muir Roads. The Board of Supervisors directed that the area north of Bell and Muir Roads should be designated for 5-acre parcels, but there are already parcels in that area that are 1 and 2 acres in size. If the Greenline were moved to the fence line that borders Study Area 3, only two houses would be within 300 feet of the Greenline, whereas with the Greenline along the road, dozens of houses are within 300 feet of the Greenline. Mr. Kromer requested that the Greenline be moved to the border of Study Area 3, and disclosed that he owns land in this area that would be affected by this change.

County Character, New Development and Housing

Jay Oman commented on Policy 7.j in the Policy Alternatives document, which addresses inclusionary zoning and an in-lieu fee. He shares the County's goal to make housing as affordable as possible, but Policy 7.j does not address the reason that housing is unaffordable. There are other techniques, such as incentives and grants, that would promote affordable housing. The costs of inclusionary zoning and in-lieu fees get passed on to the consumer; other homebuyers have to subsidize the cost of the below market rate units. In addition, government bears additional costs due to the need for additional staff and resources to implement the program and due to the decreased tax revenue. In considering affordable housing policies, the Planning Commission should consider the reasons why we don't have affordable housing rather than looking at how to tax others to create it.

Ernesto Alvarado intends to build affordable housing in Durham, where there is a significant need for affordable housing. Farmworker salaries are low - \$15,000 to \$20,000. The Planning Commission should use common sense and good judgment in considering affordable housing policies.

Agriculture

Jeanne Cecchi of Gray Fox Vineyards in Oroville supports treating specialty farms different than large farms. Among other differences, small farms are open to the public for farmgate sales. Ms. Cecchi provided an article about a farm in the Loomis area about how diversity is key to successful farming. The Loomis area recently held an event similar to the farm trail event in Butte County, which was extremely successful and brought a lot of money. Agriculture tourism is growing because people enjoy local products and fresh produce. Study Area 23 in the Oroville foothills has a lot of specialty agriculture; we need to recognize its differences and protect the area. The Oroville foothills have an agricultural water supply and a small farm can survive.

Jay Oman spoke about Policy 11.o.i, which requires one-to-one agriculture mitigation. Mr. Oman supports agriculture preservation, but has reservations about this policy. Specifically, this policy would place additional fees on home builders, which pushes up housing prices counter to affordable housing goals. He also questioned how the County would define agriculture. For instance, if a parcel is designated for agricultural use, but vacant, would it require mitigation? Furthermore, how would the County determine the value of agricultural land in order to find a comparable agriculture parcel for mitigation? There are easier methods for preserving agriculture, such as incentives, transfer of development rights programs, or specific incentives to agriculture producers to keep their land in agricultural use.

Colleen Cecil, the Executive Director of the Butte County Farm Bureau, expressed her concern that the CAC and Planning Commission have not been given the current Agriculture Element as a tool to use in this process. The Agriculture Element is relatively new and is the result of a lot of hard work from many people, including the Butte County Farm Bureau. Ms. Cecil also noted that other counties have had policies similar to the policy requiring one-to-one mitigation for farmland conversion. Butte County's prime agricultural land is all that we are going to get. Growth should be reasonable and responsible. Incentives are also a good approach to agricultural preservation.

Bob Kromer expressed his concerns about policy overload. The General Plan should include a degree of flexibility, especially related to agriculture, which will help to make it more usable and efficient. Mr. Kromer is concerned about the agriculture buffer policy. Although he supports the 300-foot buffer, there should be flexibility for special circumstances, especially in the urban interface areas, where there is existing parcelization. The agriculture buffer may need to be reviewed on a case-by-case basis in some situations.

Ernesto Alvarado expressed concerns about the agriculture mitigation policy, and encouraged the Planning Commission to make the General Plan simple and avoid unnecessary complications in the document.

Bill Kienzle, a member of the CAC, discussed Policy 11.f in the Agriculture section of the Policy Alternatives document. The policy addresses the need to work with water agencies in the southern portion of the county. The source of this policy was a workshop in Oroville, and it relates specifically to specialty agriculture. The South Feather Water and Power Agency has a lot of water, so we should encourage its distribution to support specialty agriculture needs.

Economic Development

Michael Evans, a member of the CAC, highlighted how well the CAC has been working together on the policies, as evidenced by the voting results, and asked the Planning Commission to be concise in their recommendations to the Board of Supervisors. Although some policies will need refinement later, it is important to first agree on the direction. Mr. Evans has been involved in economic development in Butte County, including through the Oroville Economic Development Corporation (OEDCO), and he has revisited the definition of economic development. Economic

Development must have the following elements: a business-friendly environment; accountability to social and physical environments; a community vision; collaboration and a welcoming spirit for new people; financial support for each other, such as tax relief; investment in infrastructure; and maintenance of our neighborhoods.

Bob Kromer supports a County-level economic development function, as well as fiscal incentives to help businesses in Butte County. Although fiscal incentives may be difficult in this current economy, these policies will be in place for the next 25 years, and conditions will change. Mr. Kromer encourages policies that support fiscal responsibility, green and sustainable businesses and light manufacturing. He noted that many graduates of Butte College and Chico State leave Butte County to find jobs, and suggested that there be vocational partnerships to provide jobs for these graduates in Butte County.

Noise

Michelle Deese discussed her concerns about noise. She is concerned about the CAC's recommendation to remove the specific language about the noise ordinance, as well as the policy regarding staffing and resources to enforce it. In her neighborhood south of Palermo, there is an immediate need for a noise ordinance and enforcement. There is constant generator use that is noisy. Furthermore, the gas generator is a fire hazard and the neighbor has been draining the creek. Agencies that she has called in the past have not dealt with these issues. Although her neighborhood has immediate needs, there are noise issues throughout the county that also need to be addressed through a noise ordinance.

Meeting #5-3b – November 14, 2008

The topics covered at this meeting included the following:

- ◆ Agricultural policies from the Stanislaus County General Plan and American Farmland Trust (further discussion on this topic was continued to December 11, 2008)
- ◆ Water Resources
- ◆ Transportation, Circulation and Scenic Highways
- ◆ Utilities, Services and Airports
- ◆ Parks, Recreation and Trails
- ◆ Natural Resources and Habitat
- ◆ Green Building, Greenhouse Gases and Energy
- ◆ Cultural Resources and Tribal Coordination

Members of the public provided input on these topics as reported below.

Agricultural Policies from the Stanislaus County General Plan and American Farmland Trust

Barbara Hennigan discussed the relationship of agricultural land lost to development, suggesting that the Planning Commission consider a ratio of higher than 1 to 1 mitigation when dealing with irrigated farmland. Irrigated farmland supplies the majority of Butte County's agricultural dollars.

Colleen Cecil, the Executive Director of the Butte County Farm Bureau, also discussed the 1 to 1 mitigation policy. She had spoken to a colleague with experience with 1 to 1 mitigation policies in Stanislaus County and San Joaquin County, and she will continue to discuss such mitigation programs with other counties to obtain more information. Ms. Cecil expressed concern that the policy is limited to conversion to residential use; conversion to other non-agricultural uses should also be covered under this policy. Ms. Cecil also brought up the City of Stockton's mitigation policy, which allows an in-lieu fee option for projects less than 40 acres in size, at a cost of \$10,000 per acre, presumably to purchase

land for conservation. The Farm Bureau believes that this policy is a good start, and it will hopefully be flushed out through the process.

Jay Oman expressed agreement with Ms. Cecil's statements, but expressed concern about the valuation process of agricultural land under a mitigation program. In addition, finding willing sellers and like parcels could be problematic. Furthermore, there are many parcels in Butte County that are designated for agriculture, but have been vacant for a long time. Mr. Oman feels that non-agricultural uses on those parcels should not require mitigation. In addition, such mitigation programs add costs to development, which makes housing less affordable, contrary to the County's affordable housing goals.

Richard Price, Butte County Agriculture Commissioner, indicated that other communities are developing mitigation strategies. Sacramento County has created a conservation fund for agriculture; the County is the holder of the title to preserved agricultural land, and leases the land out to growers to keep it in agricultural use. There are other model programs for the use of in-lieu mitigation funds. Regarding the mitigation ratio, in San Joaquin County, they require a higher than 1 to 1 ratio if the land that is protected is not prime agricultural land; this is a similar ratio that Butte County uses for the Williamson Act. Regarding the geographic location of preserved land, Sacramento County buys agricultural land right at the edge of the city in order to have more effect. Mr. Price noted that mitigation programs are long-term, and require other programs and offsets to make it work.

Scott Perkins expressed concern over the "slippery slope" to quantify the value of agricultural land for mitigation. Although he is not opposed to certain mitigations, he feels that the County should be careful. In particular, the County shouldn't apply this mitigation requirement to land that is designated as agriculture when it isn't really being used for agriculture. In addition, Mr. Perkins is concerned about the County holding title to land due to inefficient bureaucracy; holding title to conserved land is more appropriate for a private or nonprofit organization. The County should look into other counties with mitigation programs to determine their effectiveness. Although 1 to 1 mitigation may be ok, a higher ratio would be inappropriate. In some instances, a less than 1 to 1 ratio may be more appropriate.

Water Resources

Barbara Hennigan discussed the CAC and Water Commission recommendations on the water resources policies. There is a lot of overlap between the two sets of policies, but there are unique features in each one. In the Water Commission's version, Policy 17.a addresses area of origin rights, which is not included in the CAC version, but which is an important activity in which the County should be involved. Policy 17.j in the Water Commission's recommendation is a more general policy that encompasses Policies 17.a, b, d, h and p in the CAC recommendation. Policy 17.l from the CAC recommendation, which relates to water conservation and water use efficiency, is not carried forward in the Water Commission recommendations. Ms. Hennigan also noted that the League of Women Voters recently held a program on watershed management and the General Plan, and at this event the Sierra Nevada Alliance provided copies of their recent book on water and land use planning. This resource has many great implementation items that should be highlighted in the policy direction discussed today. Additionally, the County needs to face the intense southern California interest in Butte County's water. The General Plan should indicate that Butte County is the best steward of our water supply and water quality to protect the County from losing water rights. Therefore, Ms. Hennigan requested that Policy 17.l from the CAC's recommendation be included. She also supports a policy about protecting water rights.

Cultural Resources and Tribal Coordination

Amy Huberland, the Assistant Coordinator for the Northeast Information Center at Chico State, spoke about cultural resources. The Cultural Resources Coalition is represented by a large range of experts from a variety of different agencies; it is not a small group. It is important for the General Plan to have a separate cultural resources element in order to develop a long-term plan for cultural resources and avoid piecemeal planning. If cultural resource policies are under the land use or other elements, there will be an organizational issue and the cultural resources importance will be

lost. Cultural resources are important to the community and to Native Americans. We need to treat cultural resources as resources with long-term economic benefits.

Lucy Sperlin of the Chico Heritage Association and Butte County Historical Society expressed agreement with Ms. Huberland's comments. It is important to not integrate cultural resources with other elements. The topics of economic development and tourism include cultural resource policies, but there could be conflicts of interest, such as if tourism needs overwhelm the need to preserve a resource. In addition, Ms. Sperlin cautioned against using language that indicates that knowledge about historic resources will not change in the future. How we think of historic and cultural resources changes over time; every day we learn new things and new things come into our awareness of what we consider to be historic. Ms. Sperlin provided examples of this shift: there is a project underway to map all projects developed under the New Deal, although in the past many of us have not thought of New Deal structures as historic; and in Silicon Valley, many people were concerned about preserving orchards, but had overlooked the value of preserving specific archaeological structures associated with the orchards. Our ideas about history change over time, so as we write the General Plan, we should leave the flexibility to update and address such changes.

Leslie Stidle of California State Parks reiterated the need for a separate cultural resources element. She has been in Butte County for 40 years, and has been frustrated with the County over specific architectural properties. In the old General Plan's Land Use Element, nothing was spelled out in terms of what cultural resources the County wants to preserve. In addition, in California State Parks, they have found that the two top reasons for people to use the parks are for walking and visiting historic sites. Butte County has historic corridors and trails that highlight our history and could boost economic development and farm tourism. Ms. Stidle would also like Butte County's agricultural history maintained.

John Hoffman urged the Planning Commission to keep open all options for recreational trails and trails for bicycle transportation. There is a lot of room for improvement to provide safe routes to school for bicycles and pedestrian, especially in the Upper Ridge.

Arlene Ward of the Mechoopda Tribe emphasized to the Planning Commission the need to understand that historic and cultural resources preservation are under the same umbrella. Butte County is rich in a history of a long occupation of Native Americans. Under SB 18, tribal consultation should occur with all tribes, including unrecognized tribes, of which there are some in Butte County. There are also many Native American contemporary communities in Butte County. It is important to understand the history of the Native American history in Butte County; the county was well-populated, and there are many spiritual and occupancy sites. The Native American population lost their culture within 50 years. Ms. Ward asked that the Planning Commission give some weight to the cultural resources of the Native American people. The recorded archaeological sites only indicate that those individual sites were recorded, but those sites don't address other areas that haven't been studied. In addition, archaeological methods may not have been adequate when they were conducted. The California Environmental Quality Act requires that construction be stopped when a resource is found, but the construction crews don't know how to identify resources. Ms. Ward and her colleagues would like to provide that information so that developers know in advance. A separate cultural resources element would do that through early identification of resources, as well as identification of appropriate mitigation measures.

Meeting #5-3c – December 11, 2008

Members of the public provided input on the topic as reported below.

Agriculture

Bob Kromer talked about the need to have policies with the flexibility to handle the interface between urban and rural areas while protecting agriculture. He also said that there needs to be a better definition for Agriculture.